

amendment. Claims 1-41 were pending in this application. Claims 21-41 have been cancelled by applicant without waiver or prejudice. Applicant reserves the right to file divisional applications directed to the subject matter of claims 21-41 or any other cancelled subject matter of this application.

ELECTION/RESTRICTION REQUIREMENT

The 35 U.S.C. § 121 Election/Restriction Requirement

The Examiner has required restriction to one of two inventions (designated Groups I-II) under 35 U.S.C. § 121. Applicant elects to prosecute the invention of Group I and the species 2-amino-N-(1-(R)-(2,4-difluoro-benzylxymethyl)-2-oxo-2-(3-oxo-3a-(R)-pyridin-2-ylmethyl-2-(2,2,2-trifluoroethyl)-2,3,3a,4,6,7-hexahydro-pyrazolo-[4,3-c]pyridin-5-yl)-ethyl-2-methyl-propionamide. The election of this species reads on claims 1, 2, 5, 6 and 9-20. Group I includes claims 1-20, drawn to a method for stimulating or increasing appetite employing a compound of structural formula I compounds of formula I, classified in class 514, subclass +1. In order to expedite prosecution of the present application, applicant has cancelled claims 21-41, without waiver or prejudice to the filing of a divisional application directed to this non-elected subject matter (Group II, claims 21-41). The claims of the subject patent application, as amended, are no longer drawn to the non-elected subject matter of Group II.

Applicant, having addressed all points and concerns raised by the Examiner, believes that the application is in condition for allowance and respectfully requests an early and favorable action in light of the foregoing amendment and remarks.

Respectfully submitted,

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